IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 15879 of 2005

Between:

V. Satyanarayana, S/o. Late Darakonda,
R/o. Kamarajupeta, Gokavaram (M), E.G.District.

..... PETITIONER

AND

1. The Addl. Agent to the Govt., and P.O. I.T.D.A, Rampachodavaram, E.G.District.
2. The Special Deputy Collector, Tribal Welfare, Rampochodavaram, E.G.District.
3. The Mandal Revenue Officer, Gangavaram (M), E.G.District.
4. The Special Deputy Tahsildar, Tribal Welfare, Gangavaram, E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in evicting me from the land to an extent of Ac.3.35 cents in Sy.No.11/4 and 11/3 situated at Yamanapalli Village, Gangavaram Mandal, East Godavari District in pursuance of the order in LTRP.No.290/2002, dt. 1.4.2003 which was signed on 28.9.2003 as illegal, arbitrary and evict the petitioner from the above said land pending disposal of the appeal preferred before the 1st respondent in the interest of justice.

Counsel for the Petitioner: MR.K.VENKATESH

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first respondent in not granting stay, pending disposal of the appeal.

According to the petitioner, the second respondent initiated proceedings under the A.P. Scheduled Areas Land Transfer Regulation, 1959 against him and after conducting enquiry passed order of eviction of the petitioner from the land to an extent of Ac.3.55 cents in Survey Nos.11/3 and 11/4 situated at Yamanapalli village, Gangavaram Mandal, East Godavari District. Aggrieved by the same, he preferred an appeal before the first respondent. It is stated that though the appeal was preferred in the year 2003 itself and sought for stay, no orders have been passed. As there is threat of dispossession, the petitioner has come up with the present writ petition.

At the time of hearing, the learned Government Pleader, however, represented that possession had already been taken over by the respondents in January 2005. However, the said claim of the learned Government Pleader is disputed by the learned counsel for the petitioner.

Heard both sides and considered the material on record.

Under the above circumstances, the first respondent is directed to dispose of the appeal filed by the petitioner expeditiously, preferably within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that till the disposal of the appeal, respondents are directed to maintain *status quo* as on today.

The writ petition is accordingly disposed of. No costs.

_____

21.07.2005

VGB

To

1. The Addl. Agent to the Govt., and P.O. I.T.D.A, Rampachodavaram, E.G.District.
2. The Special Deputy Collector, Tribal Welfare, Rampochodavaram, E.G.District.
3. The Mandal Revenue Officer, Gangavaram (M), E.G.District.
4. The Special Deputy Tahsildar, Tribal Welfare, Gangavaram, E.G.District.
5. 2CCs to the Government Pleader for Social Welfare, High Court Buildings, Hyderabad. (OUT)
6. 2CD copies.